

SJ-EXHIBIT 28

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 IN RE: NATIONAL PRESCRIPTION :
 OPIATE LITIGATION : MDL No. 2804
5 _____ : Case No.
 : 1:17-md-2804
6 THIS DOCUMENT RELATES TO: :
 :
7 The County of Lake, Ohio v. : Hon. Dan A. Polster
 Purdue Pharma, LP, et al. :
8 Case No. 18-op-45032 :
 :
9 The County of Trumbull, Ohio :
 v. Purdue Pharma, LP, et al. :
10 Case No. 1:18-op-45079 :
 :
11 Track 3 Cases :
 _____ :
12

13 - HIGHLY CONFIDENTIAL -
14 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW
15

16 - - -

17 March 5, 2021
18

19 - - -

20 Videotaped remote deposition
21 of RICHARD SHAHEEN, taken pursuant to
 notice, was held via Zoom
22 videoconference, beginning at 10:23 a.m.,
 EST, on the above date, before Michelle
23 L. Gray, a Registered Professional
 Reporter, Certified Shorthand Reporter,
24 Certified Realtime Reporter, and Notary
 Public.

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23 GOLKOW LITIGATION SERVICES
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1 have added two other individuals
2 who are also working in the
3 pharmacy department. I have two
4 pharmacy investigators currently.

5 BY MR. HARRIS:

6 Q. Are those the two
7 individuals that you added?

8 A. Yes.

9 Q. What are their names?

10 A. Andrew Gaus.

11 Q. Is that G-A-U-S-E?

12 A. G-A-U-S.

13 Q. Okay. Thank you. The other
14 one?

15 A. Sam Muhieddin.

16 Q. Okay. What did you do
17 before you joined Giant Eagle?

18 A. I was with the Pennsylvania
19 Office of the Attorney General. I was an
20 agent with the office.

21 Q. Did you do investigations
22 during that role as well?

23 A. I did.

24 Q. Did you ever do

1 investigations into controlled
2 substances?

3 A. I did investigations into
4 pharmacies and into doctors.

5 Q. Can you provide me a little
6 more detail on that? What was the scope
7 of some of those investigations?

8 MR. KOBRIN: Object to form.

9 THE WITNESS: Independent
10 pharmacies were, in general,
11 filling out prescriptions without
12 proper authorization from doctors.

13 Same thing with physicians.
14 Physicians either practicing
15 outside the scope, fraudulently
16 billing Medicare, Medicaid, those
17 types of claims, white collar type
18 of investigations involving
19 practitioners.

20 BY MR. HARRIS:

21 Q. You mentioned independent
22 pharmacies were in general filling
23 prescriptions without proper
24 authorizations. Did you ever investigate

1 chain pharmacies?

2 A. We didn't have that problem
3 with chain pharmacies.

4 Q. Do you believe that problem
5 exists with chain pharmacies?

6 A. Not that I'm aware of.

7 Q. Okay. Have you ever
8 investigated that issue inside Giant
9 Eagle in your time working for them?

10 A. No.

11 MR. KOBRIN: Object to form.

12 BY MR. HARRIS:

13 Q. I'm sorry. It cut out a
14 little bit. Can you repeat that?

15 MR. KOBRIN: Yeah, just --

16 Rick, just make sure that you give
17 me a moment to object just in
18 case.

19 BY MR. HARRIS:

20 Q. Do you want me to repeat my
21 question, Mr. Shaheen?

22 A. Please.

23 Q. Okay. Have you ever
24 investigated that issue, meaning filling

1 prescriptions without the proper
2 authorization inside Giant Eagle in your
3 time working for them?

4 MR. KOBRIN: Object to form.

5 THE WITNESS: I didn't hear
6 you. I didn't hear you.

7 MR. KOBRIN: I just said
8 object to form. You can -- you
9 can still answer the question.

10 THE WITNESS: Oh, okay.

11 Yes, I did investigate --
12 I'm just referring back to a case,
13 yes.

14 BY MR. HARRIS:

15 Q. Okay. Can you provide me a
16 little bit of detail on that
17 investigation?

18 A. Patient was fraudulently
19 making up and filling -- making up their
20 own prescriptions. I was alerted by our
21 pharmacist, and we then subsequently
22 contacted the appropriate law enforcement
23 agency, and an arrest was made.

24 Q. During the course of your

1 investigation into that patient, did you
2 ever learn if any of their fraudulent
3 scripts were filled?

4 A. I would have to look on the
5 documents. I do believe -- I do believe
6 a couple of the scripts were filled
7 though.

8 Q. Those would have been filled
9 by Giant Eagle pharmacists?

10 A. It would have been filled by
11 Giant Eagle pharmacists. But once
12 they -- once they realized a prescription
13 through their due diligence, they
14 contacted me immediately and then we
15 began our case investigation.

16 Q. Okay. After they filled the
17 fraudulent prescriptions?

18 A. I'm sorry?

19 Q. They contacted you after
20 they filled several fraudulent
21 prescriptions?

22 MR. KOBRIN: Object to form.

23 Facts not in evidence.

24 BY MR. HARRIS:

1 Q. You can go ahead and answer,
2 Mr. Shaheen.

3 A. I don't know that.
4 Sometimes what happens is if a pharmacy
5 down the street or another pharmacy has
6 said, "Hey, there's individuals going
7 around attempting to pass scripts," then
8 I would be notified by our people, and
9 they would at that point, if they tried
10 to attempt to pass a script at our
11 pharmacy, we would -- we would certainly
12 try to get these individuals arrested or
13 contact law enforcement.

14 Q. Okay. Well, this is a
15 preview. We'll be talking about some
16 investigations throughout the day. So
17 we'll table this for now. But I may
18 refer back to it later on. Sound good?

19 A. Yep.

20 Q. Okay. Let me ask you some
21 baseline questions before we dig in much
22 deeper. Do you agree that addiction can
23 start with prescription substances?

24 MR. KOBRIN: Object to form.

1 No foundation.

2 You can answer, Rick.

3 THE WITNESS: Repeat the
4 question, please.

5 BY MR. HARRIS:

6 Q. Sure. Do you agree that
7 addiction can start with prescription
8 substances?

9 MR. KOBRIN: Same objection.

10 THE WITNESS: I am not a
11 licensed pharmacist or a
12 physician. I don't think I'm
13 adequately able to answer that
14 question.

15 BY MR. HARRIS:

16 Q. Okay. How long were you an
17 investigator for the Pennsylvania AG's
18 office?

19 A. 26 years.

20 Q. I'm not going to ask you for
21 an exact number. But roughly how many
22 pharmacies or doctors did you investigate
23 in that 26-year period?

24 A. I don't have an exact